

## COMMUNICATIONS.

For the Marshall County Republican.  
Mr. Editor:—In as much as there has been some misrepresentation, in regard to the votes of several members of the legislature on the "post note resolution" you will oblige many of your readers by publishing the following extracts from the Journals of the legislature.

"Page 353, Saturday February 9th.  
"Mr. Murchison moved to call from its place on the orders of the day, the resolution from the Senate in relation to the issuance of post notes, by the Mississippi Union Bank."—Page 354, Mr. Hoopes moved the adoption of the following amendment: Strike out so much of the resolution as requests the Union Bank to issue post notes."

Those who voted to strike out the authority to issue post notes, are Messrs. Speaker, King, Anders, Brown, of Copiah, Barton, Bell, Carter, Drake, Ellis of Jones, Ellis of Newton, Frost, Grant, Goode, Gilmer, Hargrove, Harley, Hill, of Marshall, Holland, Hoopes, Humphreys, Jacobway, Josselyn, Jowers, Kennedy, Lane, Lowe, McLeodon, McCre, Mellen, Peables, Reid, Rupert, Roberts, Stone, and Tillman—34 only eight Whigs.

Those who voted against striking out are Messrs. Armat, Brown of Lauderdale, Burress, Clarke, Coss, Enkin, Foote, Pitts, Garland, Gholson, Hines, Hill, of Panola, Jayne of Lawrence, Jayne of Simpson, Jenkins, Joyner, Loper, Minter, Murchison, Murphy, Neil, Foote, Phillips, Ruff, Saunders, Sessions, Stewart, of Hinds, Thompson of Yalobusha, Ventress, Wilson, Wood, of Wilkinson, Wright—32 all whigs but 3.

The resolutions and amendments were then on motion of Mr. Armat, referred to a committee of the whole house and made the special order of the day for Monday next at 10 o'clock.  
Monday, February 11, 1839. See page 364.

The House then took up the orders of the day and resolved itself forthwith into a committee of the whole, on its special order for 10 o'clock this day, to wit: The resolution from the Senate concerning the issuance of post notes and the establishment of its branches by the Union Bank of Mississippi. Mr. Stone having been called to the chair, after some time spent therein. The committee rose and reported the resolution with an amendment thereto (which amendment authorized the Union Bank to issue post notes.) Page 366.

"And the question was accordingly taken on agreeing to the report of the committee as amended and decided in the affirmative. Order of the day for to-morrow, 12th.

The ayes and noes having been demanded by three members, are as follows:—Those who voted for the post note resolution on its final passage are (see page 382) for the resolution, are Messrs. Armat, Brown, Burress, Clarke, Cox, Foote, Fidler, Hines, Hill, of Panola, Hill of Marshall, Jayne of Lawrence, Jayne of Simpson, Jenkins, Jayne, Loper, Marshall, McGowan, Mellen, Minter, Murchison, Murphy, Neil, Portis, Phillips, Ruff, Sessior, Springer, Stewart, of Hinds, Wilson, Wood—Whigs 30.

Ellis of Newton, Gholson, Goode Harris, Hyman, Jacobway, Lane, Reid, Stewart of Yalobusha, Thompson of Yalobusha, Thornton—Democrats 11.

Those who voted against said resolution are Messrs. Speaker King, Hoopes, Humphrey, Jayner, Peables, Puckett, Rupert, Whigs seven.

Anderson, Brown, of Copiah, Barton, Bell, Carter, Ellis, of Jones, Frost, Grant, Gilmer, Hargrove, Harley, Holland, McLendon, McRae, Roberts, Stone and Tillman. Democrats 17.

The above resolution originated in the senate and was vetoed by the Governor and returned to the body where it originated, the Senate having reconsidered the resolution sustained the governor in his veto.

## TO THE DEMOCRATIC CANDIDATES FOR THE LEGISLATURE.

Holding that every elector has the right to know the views and opinions of the candidates for his suffrages, and to have them fully and openly expressed—I most respectfully request an answer from each of you through the Marshall co. Republican to the following queries:

"1st. Are you a supporter of the present administration of the general government.  
"2d. Are you in favor of the re-election of Martin Van Buren as President of the United States?"

"3d. Do you or do you not, approve the bill introduced into congress the last session, usually called the divorce bill?

"4th Will you if elected, support any man for the U. S. Senate who is in favor of a national bank?"

"5th. Will you support the nominees of the democratic and state rights party for state officers?"

"6th. Will you if elected, sustain the Mississippi Union Bank in the course she has pursued since her first organization, particularly in her issuance of post notes, that have depreciated in the hands of the people; her unjust and unequal distribution of her loans, and failure to locate the branches, and the utter disregard of the salutary provisions of her charter?"

"7th. Will you, if elected, use all your exertions to force the state banks to a resumption of specie payments, and thereby put an end to this rotten system of bank swindling?"

"8th. Will you or not vote for the erecting of any more banks, or for granting any further privileges?"—DEMOCRAT.

## TO "DEMOCRATS."

In the Republican of the 24th ult. you propound a series of queries to the democratic candidates for the State Legislature.—Holding the doctrine that you have the right to call upon your candidates, for their political opinions upon any and every subject, also what would be their votes for men and measures acting in a Legislative capacity, I will most cheerfully proceed to answer those of your queries as are embraced within the scope of the above propositions.

The first second and third, I answer in the affirmative, the fourth in the negative.

To the fifth I will remark that as a private citizen of the State of Mississippi, I have the right of voting as I may choose without

being held responsible to any individual or tribunal, and I cannot consistently with what I hold to be the true principles of democracy sanction a violation of the inestimable privilege by answering the fifth query, and hope the democracy will be the last to attempt an encroachment upon the free exercise of the elective franchise; for prostrate that and we may bid adieu to the liberties of our country. As a member of the state legislature, my vote would be that of the citizens of Marshall county, and they would have the right to control it provided it did not conflict with my views of the constitution, in which event it would be my duty to resign into the hands of the people the trust committed to me.

To the sixth seventh and eighth; it will be most convenient to respond under one general head. The right of corporations to engage in and carry on the business of banking is a distinctive right derived from Legislative enactment, and I hold that in all cases of grants of rights the charter by which they are held and exercised should be literally and strictly construed, therefore should be honored with a seat in the legislature I would be in favor of compelling all the banks of Mississippi to comply strictly with their charters or to surrender them.

I am opposed to chartering any new banks as I have for a length of time entertained the opinion that the derangement not only of the currency of Mississippi, but of many of its states has to a considerable extent been the consequence of the multiplicity of "LITTLE BANKS" that have been brought into existence by Legislative enactment. Upon the subject of the course pursued by the Union Bank since she has gone into operation, I am in favor of a strict scrutiny by a committee of the next legislature, and should it be found in any instance there has been a violation of the charter or a dereliction of duty to promptly condemn and apply the corrective.

The issuance of post notes by the Union Bank, I consider merely a matter of policy and not of principle, and justified alone by surrounding circumstances. At the time of their issuance the banks of our state had but little credit; we ourselves had told the world they were rotten fraudulent machines and it was believed the consequence was that they were compelled to cease to issue paper payable upon demand for every dollar thus issued was returned to the counter of the bank forthwith, and the specie demanded upon it, which would in a short time have completely drained the banks of every specie cent, and left them in an exhausted condition, without the means of any future period of affording any relief to the people. The citizens of the state were also greatly involved in debt and executions to a large amount hanging over them, debts that had been created in times of great prosperity and speculation which the most prudent could not resist (which should be more regretted than blamed) debts which must be admitted have done much to improve the state and condition of Mississippi by erecting habitations cutting down the forest and bringing into successful cultivation, and all the banks of this State were calling in their issues to sustain themselves, having determined under existing circumstances, they could do nothing for the relief of the debtor class of the community, the Union Bank was then alone looked to as the only hope, it was for the directory to determine whether they could grant any relief, and if any, of what character. The only relief in her power was the issuance of post notes, for by issuing her paper payable upon demand her metallic resources would have been forthwith exhausted. They were called upon to do so by persons from any portion of the State, both branches of a highly respectable Legislature, recommended it by the passage of large majorities and only one year previous, Gov. McNutt in his message accompanying the report of the Bank commissioners recommended the issuance of post notes by all the banks as will be seen from an extract from his message attached to this response, at that time it seemed to be policy of all parties of the State, as Governor Lynch had a few days previously in his message at the opening of the session of 1838, recommended it, and at the time of their issuance by the Union Bank the state of things had not materially changed. I therefore favored it & most honestly believe the intemperate crusade against them had considerable influence in depreciating their value. But the bank itself has ceased to pursue the policy, and I presume it will not again be resorted to under ordinary circumstances. I am opposed to banks issuing any paper except such as is made payable upon demand and promptly redeem d when presented.

Having thus answered all the queries consistent with the principles I have laid down, which no doubt will be recognized by every democrat. I will add some further views upon the banking system; I am opposed to a multiplicity of little banks under the belief that they never can afford a good and satisfactory currency. But so long as there are banks in the surrounding States, I am clearly of opinion it is the duty of the State of Mississippi to foster and sustain one bank with branches, with a capital sufficiently large to afford an ample and sound circulation for the State and have no hesitation in believing that the Union Bank by proper management may be made such an institution; I would prefer the State owning in that institution a larger portion, or the whole of the stock and would favor the passage of an act by the legislature, authorizing the surrender by the stockholders of the whole or a portion of their stock within a limited period.

As to the idea of an exclusive gold and silver currency, I have never yet understood that to be the policy on or existing circumstances, of the great democratic party of the United States, in fact when they have been charged with it it has been universally and unequivocally denied; I am in favor of the banks being prohibited from issuing small bills, also prohibiting the circulation of small bills in the State with a view of introducing gold and silver for the purpose of change.

I entertain the opinion, that the time has arrived when the people of Mississippi should at least, for the moment lay aside their po-

litical weapons, so far as to unite upon some measure for the restoration of our currency, for at this time we present the degrading spectacle of a state richer in resources than any other in the union, with a depreciated currency, each party instead of attempting to restore it, engaged in attributing to each other the cause.

One party is for a United States bank, another for state banks, another for a gold and silver currency, and another for any thing that certain individuals are for, having no opinion of their own. Whilst we are thus distracted, sacrificing patriotism and principle to party purposes, South Carolina with not half the resources of Mississippi with the well known fact in view, that capital marks out the tract of commerce, is silently but surely laying the permanent foundation for chaining to her car the commerce of the South and West, and making Charleston the great emporium; this she is effecting by the charter of a large bank, and the creation of its branches in the southern and western States in which she has to some extent succeeded, no party politics or party jars disturb the harmony of that measure. Although the capital sums yet too small to effect the ulterior object, it can no doubt will be increased whenever circumstances require it. Let us, at least before the great South Carolina bank gets into full blast, have such an institution that will not have to rely only by her permission. Let us have such an institution as will aid us in transferring our commerce from its present unwholesome northern route to upon which we pay a toll of ten mills per year to the natural Southern route, free from other than ordinary charges; let us have such an institution that the state of Mississippi with a soil richer in population than that of any other, with a production of unequalled energy and enterprise would be proud to own. All that is necessary to effect it, is to will it. Respectfully, JAMES DAVIS.

## JUDGE MAURY'S CIRCULAR.

### FELLOW CITIZENS:

Being a candidate for the office of Chancellor of the State of Mississippi, I have thought it proper to furnish you with some little information in relation to myself which may possibly assist those of you who are unacquainted with me, in forming an opinion of my character and qualifications.

I was born in Williamson county in the state of Tennessee—was educated at Hanbitt Academy, under the tuition of the late Rev. Gideon Blackburn, and studied law with John White Esq. of Franklin, afterwards Judge White of Alabama. In 1821, I emigrated to the State of Mississippi and settled and commenced the practice of Law in Warren County. I removed to Port Gibson in Claiborne co. where I continued the practice of Law, until the spring of 1827, when, having been elected by the Legislature to the office of Judge of the Criminal Court of Adams co. I removed to the city of Natchez, where I resided about five years, engaged in the duties of my Profession and Office. In the year 1833, being then a citizen and planter of Holmes county, I was elected to the office of Judge of the Second Judicial District of the state by the qualified electors of that district. I held that office about four years, when I voluntarily retired from the Bench and settled in private life. I have spent the better half of my life in this State and I am attached to it not only by the long residence, the character of its citizens and its civil institutions and laws but also by many valuable social, religious and the dearest ties of affinity and blood, my interest in all respects identified with your interest; and my destiny, whatever it may be, is blended with that of the state and its citizens. I should therefore be impelled by every consideration of patriotism, of gratitude, of self-interest, and of self-respect to devote my attention to the duties of the office; and you would have, I should hope, at least a sufficient guaranty, of my fidelity to the trust. It remains for you to determine from the best information you may be able to obtain from the opinion of the Legislature in 1827, and that of a large portion of the people at a later period, expressed in a most unequivocal and flattering manner—from my professional and judicial experience, and my general character as a citizen, whether or not I am entitled to your support. The office is one of high dignity and honor, and involves in its administration the most important private rights and interests and in some degree the welfare and prosperity of the State, and I can only say, that in the event of my election, I would endeavor to discharge its duties in such a manner as might comport with its elevated character and claim, and subserve the great purposes contemplated in its establishment.

JOHN M. MAURY.

For the Marshall County Republican.

Mr. Editor:—Sir: I saw in a call upon the democratic candidates, for an expression of their sentiments upon several questions involving the best interest of the State, and likewise touching the great political questions now dividing the parties of this nation.

I acknowledge the right to demand of my political opinions upon all subjects connected with the duties of the office to which I aspire. I cheerfully and frankly proceed to answer the questions propounded in your paper of the 24th ult.

To the first, second, and third questions, I answer in the affirmative, and the fourth in the negative. I am in favor of the re-election of our distinguished fellow-citizen, R. J. Walker, who has, in my humble opinion, represented our state with most signal ability. I feel willing to give him the preference, but, if it is thought advisable to unite upon another sound and unwavering supporter of the leading measures of the present administration, I will give up my preference for Mr. Walker and go for the man.

The fifth question is one, which, in my humble opinion, is not connected with the duties properly pertaining to the office of representative, but as I feel no inclination to conceal my own individual opinions of, or preferences for men, I shall with much pleasure give my vote to A. G. McNutt for governor; I am not personally acquainted with the other nominees, but expect however to support the ticket.

6th. The policy pursued by the managers of the bank has been reprehensible in many respects, I consider that it transcended its charter by the issuance of post notes. There was however more apology for its first issue than its

last, as all the banks were then in a state of suspension, and the holders of post notes were receiving five per centum interest for the delay of payment when otherwise they would have had no compensation. Its last issue was not only impolitic, but a more palpable infraction of the spirit of its charter than the first, as it was in my opinion tantamount to a second suspension of specie payments, and had a tendency to lead and give tone to the other banks to follow the example, which, in fact, they have done.

I am not sufficiently informed as to its unequal distribution of loans, and failure to establish its branches, to condemn, but I should be in favor of a rigid scrutiny upon these and all other charges preferred against it, and if found true shall exercise all my influence to have abuses corrected. As the state is one third owner of its stock, and as it began operations in a time of unusual and extraordinary embarrassment, I would be in favor of using as much leniency toward it as duty and the best interest of the state required. To the seventh question I answer:

I am utterly opposed to the course that many of not all of the banks of this state are pursuing. I believe the time has arrived when this community will put up no longer with the high handed and illegal means used by them. I shall if honored with a seat, commence an unceasing warfare against the unlawful acts of these violators of chartered privileges. If they are stronger than the arm of the law, joined to the disregarded and insulted rights of the people of this State, it should be known as early as day as possible, that the planting and farming interest may be aroused from their lethargy and brought to combat this great enemy of their rights.

To the eighth and last question, I answer in the negative. Respectfully, D. S. GREER.

For the Marshall County Republican.

In the reign of Sanchal the good of happy memory, perched on his ashes, there lived a celebrated Astronomer, Astrologian, Physician, and Waterwitch. This renowned Noodle, possessed many rare and uncommon qualities or endowments; he by his great knowledge of astronomy discovered to the utter astonishment of his contemporaries, that one of the seven stars had been blown away during a storm at sea; the same year that the good King Boj died.

His great intimacy with Theology and Medicine enabled him to prescribe for both soul and body. But his most wonderful and extraordinary powers lay concealed in his Peachtree rod. Like Aaron's rod of old, it was superior to, and swallowed up all the other rods of the neighborhood; and all it lacked of being as potent as that of Aaron's, was the power of vegetating, and sending forth buds; and it was declared by some that on a certain morning after a night of dreadful thunder and lightning, two beautiful buds were discovered at each end of this wonder working rod.

The fame of Handal, (for such was his name) soon spread over all the East, and the king and princes of all the oriental nations sent ambassadors and messengers to consult and be advised by Handal the great. He was frequently seen to take his stand for hours together with his rod grasped in both hands, and by the magical utterance of some magical words, his magical rod would in a very magical manner respond to all his magical inquiries. By this means he satisfactorily answered all the dark and mysterious questions that could be propounded to him. It seemed as if the fate of nations, empires, yea the great globe itself, hung suspended at the end of his rod. All that was passed, all that was present, all that was to come, was alike under his control. He could tell the reason why Lot left the cities of Sodom and Gomorrah—why Isaac blest Jacob instead of Esau—why David was older than his son Solomon—why Solomon loved another man's wife. By virtue of his rod he could tell how deep the wells were that were dug by Abraham and Isaac's servants. He could tell how deep Jacob's well was—how deep the well of Cario was before the last of the Pharaohs had the great rock thrown into it—he could tell the reason why some men were saved and others perished. He could tell the reason why Jack did not eat his supper. He could tell the reasons why Gen. Jackson was older than Amos Kendall—why Tobias Watkins was not as great a defaulter as Swartwout, also he could tell why the United States Bank made Uncle Sam pay \$15,000 in earnest on the French bill—why Napoleon did not slay the Philistines with the jaw bone of a horse—why Jonah did not swallow the whale after the whale had swallowed him—why his rod did not tell the truth every time when limning for water—and in truth, and in short he could tell the reason why he could tell and foretell all things. BATA.

Extract of an Oration delivered on the Fourth of July, A. D. 1839, before the Fencibles, Guards, Hussars, Light Guards, Light Artillery, Mechanics Association, and citizens of the City of Natchez. By John D. Freeman Esq.

The true object of government is the happiness of the governed. In the United States this object is attained. Universal suffrage, political equality and religious freedom are the true principles of our political creed—on these hang all the laws of the country. The officers are ministerial, the people are sovereign. If generous laws are made, they will be tolerated as a matter of pride, not broken for the purpose of resentment; if too grievous to be borne, the remedy is in the hands of the people.

Thus far the attacks of the constitution have been the assaults of giants upon a mailed gladiator—the slight wounds it has received, so far from being ulcers, are the precious jewels that adorn its armor and keep green the memory of its conquests.

The tariff, nullification, abolition and the late convulsion in the currency, are by some regarded as the great Cyclopsian cannibal that is to devour the constitution as Polyphemus devoured the soldiers of Ulysses on his return from the Trojan war, but as Ulysses struck out the eyes of the Cyclops and escaped from his yawning jaws, so the constitution remains unharmed, either by the oppression of the tariff, the revolt of nullification, the phrenzy if abolition, or the corruption of the currency. The political tempests that occasionally lash the country, so far from hurrying the shaft of death, are but the showers that shake the thriving ear and renovate its powers of production. In such a soil, the tree of Liberty must flourish—its fruit is no longer forbidden, its limbs are no longer laden with grapes of Sodom or the apples of Gomorrah.

I hesitate not to declare that the government of the U. States is based upon the eternal principles of true religion; and that so long as truth and justice are venerated, so long the government will stand. It may be altered and amended as time and experience shall demand, but its fundamental principles are as permanent as the heavens.

Democratic Liberty is immortal—no power can crush it, no time destroy it. It may be

smothered in the dungeon or buried in the tomb, yet, Briareus like, with its fifty heads and one hundred hands, it will reappear and go forth to the conquest of the world.

## THE WHIGS AND POST NOTES.

Ayes—Messrs. President. (BINGAMAN,) Augustus, Boyd, Brown, Coffey, Farrar, Grayson, Ives, Keiser, Mathews, Montgomery, Ragsdale, Rayburn, and Smith of Kemper—18.  
Nays—Messrs. Bell, Deane, Granberry, Hadley, KYLE OF MARSHALL, Tucker, Trawack, Wall, Walk and Walton—10.

The foregoing vote will be found on the journals of our State Senate, and one of the thousand proofs conclusively establishing the position which we have from time to time made in the Free Press, that the whig party have uniformly supported the disgraceful banking policy of Mississippi. We put Col. Bingham's name in large capitals, in order that the honest farmer, and industrious planter may see how much he has done for the currency to entitle him to a place in Congress. If the fact that he supported John Q. Adams for the Presidency is not enough to array every Mississippian against him, we beg leave to call upon his out note vote in the Senate, which cannot fail to put the people on their guard touching the probability that he will make a safe and useful representative in Congress. But Col. Bingham should not bear all the blame of this ruinous and iniquitous policy which has damned the State at home, and ruined her reputation abroad. Other whigs participated in this financial outrage, and when the veto of our sterling Gov. was sent to the legislature the whigs to a man endeavored to upset it, and past the post note law by two thirds. They however, failed to procure this majority, and our inflexible chief magistrate was sustained. Yet the veto power was openly resisted, together with the action of the legislature, and the Union Bank—that wholesale shaving shop, scattered her post notes amongst the people. The mil-dewing effects of this whig policy, (the directors of the Union Bank numbers a majority of whigs,) has already been severely felt and deplored. And now, we invoke the assistance of the democracy of Mississippi and all those who concur with us in our opposition to this unwholesome and destructive system, whether whigs or democrats, on general principles, to come to the rescue of the welfare and honor of the State, by refusing office to those who now seek to rivet it upon us. Let no one enter the Hall of Congress, or the legislature, who does not stand clearly committed to oppose it. If the freemen of Mississippi will vote nothing but an anti post-note ticket, the State may yet be saved, and her honor and glory retrieved.

## EDITORIAL CORRESPONDENCE.

Carrollton, Carroll county, Saturday 24th Aug. 1839.

Mr. Editor:—Already have a large concourse of people assembled here to-day, to hear that great champion of democracy and able defender of the constitution, General Brown, of Copiah. He will address the people after dinner, and judging from his efforts at Shongola and Middleton, and from a very limited acquaintance with him, none will be disappointed, however elevated their opinions may be from representation. I am proud to congratulate the Democrats of Mississippi in obtaining the efficient services of such a man in one of the best causes that ever claimed the attention of the human mind. I now understand why the base-born whig at Vicksburg has been so marked in his abuse of him. Its masters know and feel that the irresistible current of truthful information and unanswerable argument, which he boldly pours forth on all occasions, is telling desolation and death to that party in this State, which they fondly hope may elevate their bloated favorite into a responsible and dignified station. They may growl, and snarl, and snap—lie and misrepresent—but all their renowned spleen will fall harmless at his feet, and the people's advocate, the defender of the constitution and equal rights, will be heard and appreciated. Well may they fear his powerful aid in the cause that paper is paid to decide. He prefers abuse to applause from such a source. He will be with you on Monday next. Tell the whigs to load up, he is ready for all at one time, or in single combat. Mustard shot never make him wink or flinch. BOENURGUS.

P. S. The day is gone, and the victory is won without effort.

Col. Samuel B. Marsh followed the Gen. in the discussion. His able and convincing argument upon the expediency of a United States Bank, was listened to with great interest. He is with the democrats in all the leading measures that now agitate the country, and will be sustained by them for the Senate in Carroll and Tallahatchie. The candidates for the legislature were not present to day. On yesterday at Middleton, Col. Hemmingway addressed the people in his usual powerful and happy manner. He and his associate, are well capacitated to conduct the canvass in this county with much zeal and ability. One of their opponents has taken the stump in support of Whiggism. He talks very well. The other is in the wake, and will be forthcoming as soon as he can practice a little. They are both very clever men.

N. B. We had a long and very interesting literary speech upon the subject of the connexion between the British Periodicals and Politics in America, late this evening.—I hope it will be published in the Edinburg Quarterly Review at an early period.

Yours, &c. B.

Extract of a letter from Carroll County.

"The 23d was a proud day for Democracy in this county. On that day, Gen. Brown addressed the citizens of Middleton and vicinity, in a very able and effective manner, upon the general features of National politics. He was attempted to be answered by a gentleman; but I think no impartial individual would presume to say that he was answered. After Gen. Brown had closed his speech, the audience were addressed by Col. Marsh, Col. Hemmingway, and Judge W. Y. Collins—the two former in opposition to Mr. Clay and a national bank, and the latter in opposition directly to his opponent, Col. Hemmingway, but directly in opposition to his own party. It was indeed the most splendid failure, for a "smar" mar, that I ever witnessed. His best friend could but acknowledge that Col. Hemmingway demolished him almost entirely. The opponents of Col. Marsh were not present, consequently he was deprived of the honor of a similar victory."